

Please Note: These transcripts are not individually reviewed and approved for accuracy.

COMMITTEE MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SUSTAINABILITY AND MARKET DEVELOPMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
COASTAL HEARING ROOM
SACRAMENTO, CALIFORNIA

TUESDAY, SEPTEMBER 14, 2004
9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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Rosario Marin

Rosalie Mul

STAFF

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Caoru Cruz, Supervisor, Office of Local Assistance, South
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Kathy Davis, Staff

Keir Furey, Staff

Chris Hanson, Pacifica Waste Consulting Group

Jerry Hart, Supervisor, Buy Recycled

Susan Kumpulainien, Committee Secretary

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Cara Morgan, Branch Manager, Office of Local Assistance

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Pat Schiavo, Diversion, Planning, and Local Assistance

Monique Sikich, Staff, Buy Recycled

Jill Simmons, Staff

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Steve Sorelle, Supervisor, Office of Local Assistance,
North Section

Steve Uselton, Supervisor, Los Angeles Assistance Section

Melissa Vargas, Staff

Patty Wohl, Deputy Director, Waste Prevention and Market
Development

ALSO PRESENT

Elizabeth Cunningham, Pactiv Corporation

Elizabeth Finley, Santa Clara County

Ms. Greggors, Chino Hills

Hank Hohenstein, Desert Hot Springs City Council

Carlos Ruiz, L.A. County Department of Public Works

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1 PROCEEDINGS

2 CHAIRPERSON PAPARIAN: Good morning, everybody.

3 This is not the Oprah show. You're not going to be
4 getting a new car. Mark Leary tried to offer that up this
5 morning, but then realized that would be a little problem
6 with the Department of Finance.

7 This is a meeting of the Sustainability and
8 Market Development Committee. Board Member Rosario Marin
9 sends her regrets. She won't be joining us today. She
10 has a long-standing commitment that took her to the east
11 coast, so she couldn't be here today. So you're looking
12 at the Committee for today, Board Member Mulé and myself.

13 As a reminder, if you can turn off your cell
14 phones and/or turn them to the vibrate mode. Same with
15 your pagers.

16 There are speaker slips in the back of the room.
17 If you'd like to speak on any item, fill out one of those
18 slips, and give it to Ms. Kumpulainien here in the front
19 of the room.

20 And I guess we should start with the roll call.

21 SECRETARY KUMPULAINIEN: Mulé?

22 COMMITTEE MEMBER MULÉ: Here.

23 SECRETARY KUMPULAINIEN: Paparian?

24 CHAIRPERSON PAPARIAN: Here.

25 Do you have any ex parties?

1 COMMITTEE MEMBER MULÉ: No. I'm up to date.

2 CHAIRPERSON PAPARIAN: And I'm up to date.

3 So with that, I think we can get started.

4 Do you have anything, Mark? No. Okay. We can
5 jump right into the agenda.

6 Ms. Wohl, your Deputy Director's report.

7 DEPUTY DIRECTOR WOHL: Good morning, Committee
8 members. Patty Wohl with the Waste Prevention and Market
9 Development Division.

10 I have several things I'd like to report on this
11 morning, starting with the RMDZ redesignation regulations
12 were approved by AOL last week and are now at the
13 Secretary of State's Office. They will become effective
14 on October 7th. These modified regulations clarify and
15 streamline the process for the zone redesignations. Zone
16 administrators were notified about this last week.

17 In addition, the next Zone Administrator Workshop
18 will be in Santa Rosa on October 28th and 29th. And I'm
19 happy to announce that Assemblywoman Loni Hancock from
20 Berkeley plans to attend the meeting with the ZAs. And I
21 believe both Board Member Paparian and Marin also plan on
22 attending this workshop. So that's great.

23 In addition, Senate Bill 50 amending the
24 Electronic Waste Recycling Act, SB 20, passed the
25 Legislature and was sent to the Governor for Signature.

1 SB 50 makes several changes to the Act, including changing
2 the initial fee collection date to January 1st, 2004. As
3 you recall, we brought an item to the Board last month
4 requesting approval to file a Section 100 amendment to the
5 emergency regulations to change the date that these
6 activities would be eligible for an electronic waste
7 recycling and recovery payment. But since AB 50
8 supercedes AB 901 and establishes January 1st as the
9 eligibility date, the Section 100 will no longer be
10 necessary.

11 In anticipation of SB 50 being signed by the
12 Governor, we have scheduled a stakeholder workshop here at
13 CalEPA on October 1st in the Coastal Valley Room, this
14 room. We will send a notice out today to the e-waste list
15 serve announcing that workshop.

16 SB 50 also requires that the Board of
17 Equalization collect the e-waste recycling fee from
18 retailers. Yesterday, our staff met with BOE staff to
19 discuss the roles and responsibility in administering the
20 program. And the BOE representatives have agreed to
21 attend the October 1st stakeholder meeting. So Shirley
22 tells me that meeting went very well, and we feel like
23 we're finally making progress in that area. So that's
24 good news.

25 And then I just wanted to give you a heads up on

1 the Loan Program and the bulk loan sale. The Loan Program
2 sub-account balance, you know, has continued to decline
3 either due to interest rates or decreased IWMA transfers
4 and expenses. As a partial solution, the Board directed
5 staff at the September 17th, 18th, 2002, Board meeting to
6 solicit bids for a bulk loan sale. A loan sale means to
7 sell the future principle and interest earnings on
8 outstanding loans. The bulk loan sale proposed to sell 52
9 loans for approximately \$28 million.

10 On July 1st, 2004, we put out that notice. Two
11 companies responded and performed a review of the loan
12 files. And they had to give their final bid to us
13 yesterday, September 13th. So we do have those two bids
14 in-house. Now staff and Legal staff will be reviewing
15 those bids in preparation for an October agenda item. So
16 just kind of setting the stage that we've been working
17 through that, and we will have that item coming forward in
18 October. So there should be lots of discussion about
19 that.

20 And then just to announce that we did have last
21 Friday the Hero's Groundbreaking event in Santa Ana. That
22 was attended by Linda Moulton-Patterson, Board Member
23 Paparian, Rosario Marin, several staff, several
24 dignitaries, several local people from the Santa Ana
25 office. I think Lou Guerrero was there. We had quite a

1 mix. It was a great event, and we need to thank the
2 Public Affairs Office for helping us, as well as Dana
3 Papke of our staff who did a lot of work on that.

4 And then I just wanted to show you a couple
5 publications. We've also been working with the Public
6 Affairs Office, and you've probably seen the latest
7 version of "Recycling, Good for the Environment, Good for
8 the Economy." We have a few at the back. If not, we'll
9 make sure you get some. And the latest exhibitor brochure
10 for the Trade Show. So staff have been busy. And Public
11 Affairs has been a great help to us.

12 So with that, we can go ahead and start, unless
13 you have any questions.

14 CHAIRPERSON PAPARIAN: Any questions? Okay.

15 Great. Now Item C on our agenda, which is Item
16 13 on the Board agenda, the WRAP awards, that's going to
17 be going to the full Board. It's not going to be heard
18 today here.

19 DEPUTY DIRECTOR WOHL: That's correct.

20 CHAIRPERSON PAPARIAN: Is there anybody here who
21 came just for that item, for the WRAP awards?

22 Okay. Good.

23 So that will go to the full Board. And,
24 otherwise, the agenda is as is.

25 DEPUTY DIRECTOR WOHL: Yes. Okay.

1 Well, with that, then I'll start with Agenda Item
2 B on the Committee list or Item 12 in your Board book,
3 Consideration of Application to Review the
4 Sonoma/Mendocino/Lake Counties Recycling Market
5 Development Zone Designation.

6 And Steve Boyd will present.

7 MR. BOYD: Yes. Good morning, Committee Chairman
8 and member. I'm Steve Boyd with the Board's Recycling
9 Market Development Zone Program.

10 This item requests the Board to consider
11 approving the redesignation of the Sonoma/Mendocino/Lake
12 County Recycling Market Development Zone. As you know,
13 recycling zones are designated for a period of ten years.
14 In September of 1994, the Board approved the initial
15 designation of the Sonoma/Mendocino recycling zone. All
16 the incorporated cities within these two counties were
17 also included in this designation.

18 In May of 1997, the Board approved requests to
19 expand the Sonoma/Mendocino zone to include all of Lake
20 County and its two incorporated cities. The Lake County
21 Business Response Team became and remains today our Zone
22 Administrator.

23 The current RMDZ designation for the
24 Sonoma/Mendocino/Lake County Recycling Market Development
25 Zone expires at the end of this month. An application to

1 renew this RMDZ was received by us on August 4th and our
2 review has determined that this application is complete.

3 A little bit about the zone. The zone operates
4 as a regional effort to attract, develop, and expand
5 manufacturers that use recycled content materials in their
6 process. Five RMDZ loans totaling 1,000,030 have been
7 made to this zone to date. One of those loans was to the
8 city of Cloverdale and was actually used as an
9 infrastructure development loan.

10 Three of our recycled content product
11 manufacturers are currently receiving technical assistance
12 along with marketing enhancement through the Board's
13 Recyclestore.com project.

14 And every zone has a story. I have one favorite
15 one of this particular zone, primarily because I was a new
16 staff member to this project. And it was a composting
17 project that began just shortly after the zone was
18 designated. And it was intended to contribute to
19 Mendocino County's AB 939 mandates by composting the
20 organic material that was in their waste stream.

21 The business and individual involved operated a
22 similar operation in another county, and so I felt pretty
23 comfortable with their ability to succeed. And the
24 project tasks were to locate a site, receive an RMDZ loan
25 for the project, acquire the required permits, and begin

1 composting. And to me it was easy, simple, no sweat. And
2 knowing the operator was successful in another county, I
3 figured this was going to be basically a slam dunk.

4 I had occasion to visit the site that was chosen,
5 and it was in the middle of a 4,000 acre parcel that had
6 actually been selected by Mendocino County to be a
7 potential site for their next landfill. So if they could
8 select a site for the landfill, that seemed like a
9 composting operation was a good fit at that time.

10 The RMDZ loan application was approved contingent
11 on getting the required permits. And this is where the
12 problems started. The access road was on the side of a
13 hill that residents on the other side of the Russian River
14 looked right out on to. And while there was a road there,
15 it was pretty much hidden with the development of grass
16 and bushes. And so the applicant went in. And the first
17 thing he did was widened the road to accommodate two
18 full-size trucks. And all of a sudden these folks had
19 this big ugly scar looking out their front room window.

20 The opposition arose to it in a very dramatic
21 fashion. And this was further complicated by the fact
22 that we were still developing our composting regulations.
23 We really didn't know all the issues that would ultimately
24 evolve. And so we elected a policy to "not get involved"
25 in local permit issues. So, consequently, the supervisors

1 that were trying to act on these permits were confused by
2 the applicant saying composting was benign and beneficial
3 and the opposition using the big word "aspergillus" and
4 the fact that all the babies and all the older people in
5 the county would probably die as a result of this
6 operation if it was permitted.

7 The permits were delayed month after month. And
8 this wouldn't have been a big issue except that the
9 applicant, assuming that everything was going to go
10 through smooth, much as I did, had signed contracts with a
11 number of wineries in the area to receive their grape
12 waste material. And in order to not violate that
13 contract, he had to start picking this up. So this
14 material was actually removed from the wineries and
15 brought to the site with no permits.

16 And I had the misfortune of visiting this site.
17 There was a mountain of grape pumas. It was probably a
18 solid two acres and 20 feet high. There was major smoke
19 column coming out of the center. And around the
20 perimeter, the fruit flies were so thick you couldn't
21 breathe. And while the applicant knew what was required,
22 his attorney said that as long as he didn't remove or
23 touch or disturb this material, he was merely stockpiling.
24 So his attorney recommended that he not do what he knew
25 needed to be done, and this site got worse and worse as

1 time went along.

2 Over time, the permit issues were overcome. It
3 began to move. One of the mitigated measures was to put a
4 roof over the whole composting operation. And at the time
5 that was kind of what the county required. And so he
6 reluctantly agreed to do this, because he was in a real
7 bind and he needed his RMDZ loan. And without that, he
8 wasn't going to get the loan.

9 Well, once the roof was established, it was
10 determined that the runoff from this roof was going to be
11 huge and that he needed a catch basin, which ultimately
12 became a small lake that required other permit
13 considerations.

14 So it was a real education for me. It was a real
15 education to the applicant.

16 Fast forwarding here, I really have good news.
17 The permits were eventually granted. The RMDZ loan was
18 funded. And Mendocino County's Waste Management
19 Administrator reports that the operation is very
20 successful and beneficial to Mendocino County today.

21 In closing, staff recommends that the Board
22 approve Option Number 1 and adopt Resolution Number
23 2004-243. This would renew the redesignation for the
24 Sonoma/Mendocino/Lake County RMDZ. And I would be glad to
25 answer any questions if you have them.

1 CHAIRPERSON PAPARIAN: Any questions?

2 COMMITTEE MEMBER MULÉ: No.

3 CHAIRPERSON PAPARIAN: Are representatives from
4 other counties here?

5 MR. BOYD: They are not.

6 CHAIRPERSON PAPARIAN: Okay. Ms. Mulé.

7 COMMITTEE MEMBER MULÉ: Yes. Thank you,
8 Mr. Chairman.

9 I would like to move approval of Resolution
10 2004-243, Consideration of the Application to Renew the
11 Sonoma/Mendocino/Lake Counties Recycling Market
12 Development Zone Designation.

13 CHAIRPERSON PAPARIAN: Second.

14 Secretary, call the roll.

15 SECRETARY KUMPULAINIEN: Mulé?

16 COMMITTEE MEMBER MULÉ: Aye.

17 SECRETARY KUMPULAINIEN: Paparian?

18 CHAIRPERSON PAPARIAN: Aye.

19 And this will be a candidate for consent.

20 DEPUTY DIRECTOR WOHL: Agenda Item D, which is
21 Item 14 in your Board book, Update on the 5th Annual
22 Recycled Product Trade Show and Discussion of Future
23 Recycled Product Trade Shows.

24 And Jerry Hart and Monique Sikich will present.

25 SUPERVISOR HART: Good morning, Committee

1 members. My name is Jerry Hart, and I'm the proud
2 Supervisor of a great section of folks in the Buy Recycled
3 Section. We are here today to present an item that
4 proposes some items that we would like to get your
5 feedback on for the upcoming 6th Show and future shows, as
6 well as kind of give you some feedback on this past 5th
7 show. We're going to begin the presentation with a Power
8 Point slide show to show you some of the things that went
9 on at this 5th Show for the benefit of folks who weren't
10 able to make it.

11 Right or left? Is it left?

12 DEPUTY DIRECTOR WOHL: Left.

13 (Thereupon an overhead presentation was
14 presented as follows.)

15 SUPERVISOR HART: At this 5th Show held at the
16 Convention Center, we were fortunate enough to have
17 opening remarks made by Chair Linda Moulton-Patterson in
18 the lobby of the Sacramento Convention Center. This is
19 one of the first times we've had kind of a significant
20 opening ceremony. And the Chair was gracious enough to
21 kick those events off for us.

22 --o0o--

23 SUPERVISOR HART: We also were fortunate enough
24 to be joined by Secretary Tamminen to open the door to the
25 Trade Show floor and a healthier environment. The

1 Secretary cruised through the floor a little bit. We had
2 this Trade Show in conjunction with CRRA, and he made some
3 opening remarks on the CRRA stage as well. So again, we
4 were very fortunate and honored to have his presence at
5 the show.

6 --o0o--

7 SUPERVISOR HART: One of the things we've been
8 able to do is give some recognition to the exhibitors
9 coming back to repeated shows. And we have developed
10 these ribbons here to indicate show sponsors, repeat
11 exhibitors, sponsors who provide prizes for door prizes
12 and drawings. And one of the things that's been real
13 favorable, we've got a lot of positive feedback from the
14 exhibitors and sponsors, is to have this kind of
15 recognition on the exhibit. And here Patty is giving an
16 award to Promoco. They're also a certified small
17 business, so they have benefited quite a bit from coming
18 to the show to promote the fact that not only they're
19 supplying recycled content and environmentally preferable
20 products, but they're also a certified California small
21 business.

22 --o0o--

23 SUPERVISOR HART: L.A. Fiber is a loan recipient
24 and WRAP Award winner. The show is an excellent venue for
25 companies like L.A. Fiber who have received grants and

1 loans from us and who have received other Board support to
2 market their product and increase the sales of their
3 products. The Trade Show completes a number of loops.

4 This one, the support that the Board provides
5 through these companies from a myriad of Board programs,
6 multiple divisions providing the support they provide come
7 to the venue in receipt of that benefit and then use the
8 show as a way to market their products, increase sales,
9 get healthier, able to pay back their loan, have success,
10 so on and so forth.

11 --o0o--

12 SUPERVISOR HART: Throughout the show we have a
13 number of forums, and the exhibits are judged, however
14 loosely, throughout the show. We have awards made up.
15 And at the end of the show, from center stage there is an
16 award ceremony for the exhibitors. Again, we get a lot of
17 positive feedback on the amount of recognition we give to
18 the folks who spend their money, put forward the effort,
19 and come and support the show. The exhibit awards are one
20 of those things that, again, is very positively received.

21 --o0o--

22 SUPERVISOR HART: We have an exhibitor and
23 sponsor reception, again, to thank and show our
24 appreciation to the exhibitors and sponsors. It's also a
25 way for us to get to know the exhibitors better, develop

1 that relationship that's so critical for our ability to
2 provide them the support they need and for their ability
3 to be successful at the show.

4 Here, Assemblywoman Loni Hancock addresses the
5 audience, says a few words. This exhibitor reception
6 happened to be held after the night of the first show, a
7 little change from prior shows. That, again, I think was
8 a benefit to having it prior to the show.

9 --o0o--

10 SUPERVISOR HART: The crowded Trade Show floor.
11 There's no better tool to improve markets for secondary
12 materials than to improve the markets for the finished
13 products that they're used to make. The show generates
14 millions of dollars in sales for exhibitors and sponsors.
15 We conduct surveys of the attendees and the exhibitors at
16 each show, and we're showing figures of 100 percent.
17 Every single exhibitor who comes to the show receives
18 sales leads from the show. And somewhere around 75
19 percent of the attendees are purchasing recycled content
20 and environmentally preferable products from these
21 exhibitors. So the show is really about conducting
22 business. And business is happening because of the show.

23 --o0o--

24 SUPERVISOR HART: This year we've altered the
25 title of the show away from strictly Recycled Conduct

1 Product Trade Show to RCP and EPP, really just to
2 acknowledge the fact that we've always had a real broad
3 base of support among environmentally preferable product
4 suppliers, such as these clean air vehicles that ARB put
5 together for us last year and had a little ride and drive
6 around the Convention Center to exhibit some of their low
7 emission vehicles.

8 --o0o--

9 SUPERVISOR HART: Especially with the theme of
10 this upcoming Trade Show for transportation products and
11 services, we hope to have a similar ride and drive for
12 attendees, as well as a more prominent display of clean
13 air vehicles, vehicles that are using re-refined motor
14 oil, retreaded tires, so on and so forth.

15 --o0o--

16 SUPERVISOR HART: We've always encouraged
17 exhibitors to become more interactive and do more
18 presentations as opposed to the kind of stagnant
19 two-dimensional posters and exhibits. We really tried to,
20 again, develop a relationship among people. And there's
21 no better tool than having that interaction.

22 New for the 5th Show was a presentation stage
23 that we made available to exhibitors and sponsors who
24 could pay for time on the stage and do their own product
25 demonstration or presentation. And that, again, was

1 really well received.

2 --o0o--

3 SUPERVISOR HART: Patagonia was a sponsor of last
4 year's show has provided products for the prize drawings
5 and took advantage of the presentation stage. Sponsorship
6 is a key element to the health and sustainability of the
7 Trade Show. We've taken a lot of steps to decrease the
8 cost of the show. We've taken a lot of steps to increase
9 revenue. But the big opportunity is in the sponsorship
10 area. We had a little bit more success last year than in
11 previous shows. But we really do need to focus a lot of
12 effort and attention in that sponsorship area.

13 --o0o--

14 SUPERVISOR HART: The show is a great venue to
15 highlight and promote Board programs, such as the
16 Recyclestore. There's no better event for bringing so
17 many high quality buyers to one place at one time for them
18 to view so many different and varied recycled content and
19 environmentally preferable products. We have a number of
20 Board programs that come and have exhibits. They get a
21 lot of traffic. They get a lot of attention from their
22 current customers and clients. And I think that's a very
23 positive thing for those folks to see us out and about
24 promoting their products. But, obviously, they see an
25 awful lot of new folks as well, and those new

1 relationships then turn into repeat customers.

2 --o0o--

3 SUPERVISOR HART: Van Duerr Industries was
4 another zone loan company that took advantage of the
5 extensive market efforts that we undergo to bring in the
6 target audience. Again, the show originated out of the
7 State Agency Buy Recycled Campaign originally targeted
8 specifically at state agency buyers. We quickly
9 acknowledged the potential buying power of the local
10 government, so it became more of a public venue show. Now
11 we're probably doing equal targeting, equal outreach to
12 the private sector buyers as well. So we've grown away
13 from just a government show to more of a private sector
14 and a public sector show.

15 --o0o--

16 SUPERVISOR HART: Buying recycled is not only a
17 critical element to any solid waste management scheme, it
18 also leads to energy, water, and resource conservation and
19 it maximizes the benefits of the procurement dollar. The
20 Trade Show promotes not only RPC procurement, but EPP
21 purchases as well. The resulting benefits help attain a
22 number of Strategic Plan initiatives and is core to the
23 mission of the Board.

24 While we are definitely trying to encourage
25 purchasing the buying and the selling of recycled and

1 environmentally preferable products on the show floor,
2 there's so many other benefits in terms of relationships
3 that are built among the exhibitors, among staff and these
4 customers, both the exhibitors and the attendees. There's
5 really a lot of interaction that goes on, and these
6 relationships are built and bring benefit in a wide
7 variety of areas for the Board.

8 --o0o--

9 SUPERVISOR HART: The relationships made at the
10 show lead to the perfect blend of economic and
11 environmental health. The show is very popular with
12 product suppliers, attendees, and has received much
13 positive press coverage. Again, I can't emphasize the
14 benefit of meeting and mingling and conducting business
15 with this very group of folks that attend the show.

16 --o0o--

17 SUPERVISOR HART: We are well under way for
18 preparations for the 6th Annual EPP and RCP Trade Show,
19 Ontario Convention Center, April 6th and 7th, 2005. We
20 appreciate your contribution to and support of the hard
21 work and dedication of staff that work together to make
22 the show a huge success.

23 With that, I'd like to introduce Monique Sikich,
24 who's our lead staff on the Trade Show. She'll walk
25 through some of the points of the agenda item.

1 MS. SIKISH: Good morning, Committee members. My
2 name is Monique Sikich. I'm with the Buy Recycled
3 Section. Jerry, of course, took all the fun stuff with
4 the pictures, and I get to do all the numbers. So bear
5 with me.

6 I'm going to start with updating you on the
7 numbers of the 5th Show that we just had this last March
8 here in Sacramento. It was our last show under the
9 contract -- the three-year contract with Association
10 Resource Center. So we've wrapped up that contract with
11 them.

12 The theme of the show was sustainable building.
13 We did a coordinated effort with California Resource
14 Recovery Association Conference as well as the Board's LEA
15 conference. Total number of registered attendees and
16 exhibitors at this show was just about 2500, which is our
17 most ever. It was an increase of 20 percent from last
18 year. We had 105 exhibiting companies and 113 booth
19 spaces filled. And this was a 4 percent increase from
20 last year.

21 Our sponsorships increased from last year from
22 4,000 up to 16,500. Although it was an increase from last
23 year, it is lower than our previous years because we've
24 lost our two big sponsors and partners, for that matter,
25 through DGS, used to be a \$100,000 sponsor, and DOC,

1 20,000 sponsorship. So we're still working towards making
2 up that difference. And so like Jerry said, we're kind of
3 looking to you to help us meeting with the larger
4 corporations and getting those big sponsorships to help
5 offset that.

6 Advertisement sold in the show program increased
7 this year from 1,000 up to 1750. We had the new idea of
8 the presentation stage. We sold time on the presentation
9 stage. There were some glitches in it. It was a new
10 idea. We've gotten feedback from the exhibitors who
11 participated. They think it's a good idea and that we
12 should try it again, and we're going to work out the kinks
13 for this next one.

14 A few of our efforts to lower the costs of this
15 show is we decreased the premiums to just the tote bags.
16 We did away with our other premiums. We did not have
17 breakfast. We didn't serve breakfast, so we cut that cost
18 out for the attendees and just had the lunch. We accepted
19 in-kind services for sponsorships instead of just
20 requiring cash, and that helped a lot. There's a lot more
21 flexibility with that.

22 We reduced mailing lists and hard copy printed
23 materials with a lot of effort both internally and
24 externally eliminating duplicates in our mailing lists.
25 We'll see how that goes since our first piece went out.

1 So it should be good.

2 We increased the use of electronic list serves,
3 e-mail, website, and advertising on-line registration.

4 I do get a slide here.

5 --o0o--

6 MS. SIKISH: This is all the numbers showing you
7 the 5th Show, how we started out. We had 85,000 left over
8 in the ARC contract going into the 5th Show. The show
9 revenues from previous years that we carried forward,
10 47,000. And then we got the Board funding from last
11 fiscal year. And so our starting funds to do the 5th
12 Show, we had 313,000. And the show generated with
13 registration and sponsorships 97,000. So it was almost to
14 that 100,000 mark. So our total show funding 411,000.

15 The 5th Show total expenses, 253,000. And so our
16 remaining balance at the end of the show to go into the
17 6th Show is 157,000. And I show the break out here.

18 We've started our new contract with Sac State, California
19 State University of Sacramento. So we've started funding
20 that contract, as well as we do have some remaining funds
21 of 25,000 in the ARC contract which expires at the end of
22 October. So we're closing that up with them.

23 I do want to point out that our show expenses of
24 the 5th Show was 253,000, and the show generated 97,000.
25 And so that leaves the difference of 156,000 -- I'm just

1 rounding everything off -- of Board funds that were
2 expended on the 5th Show.

3 With 2500 attendees, this is a per person cost to
4 the Board of only \$62.47, which I think is very low for
5 what we're getting out of this show.

6 We'll go -- that wraps up the 5th Show. So now
7 where we're at in our current efforts for the 6th Show, we
8 have started our new contract with Sac State. And I'm
9 happy to see that Pricilla and Andrea are here today.
10 They're our contractors with Sac State. And we have
11 executed contracts with the Ontario Convention Center.
12 We're getting room blocks at our hotels that have been
13 surveyed for green lodging efforts. And we did -- as
14 Jerry said, we are emphasizing the environmentally
15 Preferable and Recycled Product Trade Show. So we've
16 actually got that environmentally Preferable in the title
17 now, because we've always been more than just recycled
18 content products.

19 This year is the transportation theme. So we
20 think that really opens up a wide variety of possibilities
21 for us and sponsorship and advertisements.

22 We have found that there's possibilities of
23 restrictions on spending the show revenue, how it's spent,
24 with registration fees and sponsorships. We've been
25 working closely with admin and legal to work through that

1 and see what we're allowed to do and how we're allowed to
2 spend those moneys. We have raised the corner and premium
3 booth prices for this show by \$50 each to increase the
4 revenues. We did keep our standard booth price the same
5 to try to help out the small businesses who can't afford
6 it.

7 We are better promoting the website upgrades and
8 trying to give our sponsorships and exhibitors as much
9 visibility and recognition that we can throughout the
10 show, the website, our programs, and all of our
11 advertisements.

12 We actually -- Jerry and I and Sac State leave
13 tomorrow to go down to Ontario to do our site visits with
14 the Convention Center hotels. We're meeting with some
15 possible sponsors, City of Ontario. So we're looking
16 forward to that, hoping that will work out well for us.

17 We have some discussion items for you. We're
18 looking for your input. We do have staff recommendations
19 on them. The first one, our recommendations are in line
20 with the attendees and exhibitor survey results that we've
21 received from each show. The first discussion item is a
22 one- or two-day show. We've done both now and we've tried
23 different days of the week. And staff recommends keeping
24 a two-day show and avoiding Mondays and Fridays. So this
25 6th Show, we have it running on a Wednesday-Thursday. And

1 that's what we had last year and it seemed to work much
2 better.

3 I don't know if you want to give any input as we
4 go.

5 CHAIRPERSON PAPARIAN: Any thoughts on that?

6 COMMITTEE MEMBER MULÉ: What I was going to do is
7 just hold all my comments to the end, so why don't you
8 just finish your presentation.

9 MS. SIKISH: The second discussion item is a
10 Northern/Southern rotation. I think we originally were
11 going to do one year every other year in Northern and
12 Southern California. With budget, we've stayed here in
13 Sacramento for two years and now we're back down in
14 Southern California. I think with the efforts and the
15 costs that it takes to go down to Southern California,
16 staff recommends two years in Northern Southern to one
17 year in Southern California. Did I say that right?
18 Two years in Northern, one in Southern.

19 Third discussion item, inviting the general
20 public. Although the exhibitors said they would like the
21 general public, we're not sure they, you know, really
22 understood what that meant. I think they're looking
23 forward to having more attendees. But staff is really
24 concerned about keeping the quality of the attendees and
25 plus the food costs, feeding all of the attendees. So

1 staff is recommending to continue to increase the
2 participation of the private sector buyers, not the
3 general public, in addition to the government sector, but
4 not to make a concerted effort to promote attendance by
5 the general public at this time.

6 Fourth discussion item, joint venture. Last year
7 we did have it with CRRA and the LEA conference. It takes
8 a lot more staff effort to do a joint venture, especially
9 if it's an outside entity. Staff recommends joint
10 ventures with other Board programs, like we're doing this
11 year with the Tire Conference and urges caution when
12 considering partnership without side entities.

13 --o0o--

14 MS. SIKISH: This is the attachment you have with
15 the item. We've put together this Trade Show time line to
16 show you the multiple Trade Shows. It's kind of small.
17 There's a lot of information there. But it's to show you
18 that right here there's four Trade Shows going on, and
19 we're working on three at the same time. So budget issues
20 are a concern. The fiscal year, tying the fiscal years
21 and money and funding has been a challenge. And so we are
22 looking for a solution or something to help us get through
23 that. We've been working with admin on that. We're
24 looking to find funding -- ongoing baseline funding to get
25 us through the fiscal year and the contract gaps.

1 And that concludes my presentation. And we hope
2 to see you all at the show next year.

3 CHAIRPERSON PAPARIAN: Okay. Thank you.
4 Any questions?

5 COMMITTEE MEMBER MULÉ: Actually, I have some
6 comments, Mr. Chairman.

7 First after all, I want to commend the staff on
8 the fabulous job they've been doing over the last six
9 years on this show. What I've noticed when we had our
10 discussion, our briefing last week, is that staff
11 recognizes that this show has and is evolving as we move
12 forward. And they're very open to ideas and suggestions,
13 I guess, from the vendors and from the public at large.
14 And so I really just want to commend you for all your hard
15 work. You're doing a good job. And you're really on
16 target with the whole idea of continuing this improvement
17 and just trying to do the best that you can and make the
18 show be as worthwhile as it can be.

19 Regarding some of your discussion items, I just
20 would like to comment on them. On the two-day show, I
21 think that's a good idea to have the two-day show and to
22 have it during the week. You know, people don't like to
23 travel on Monday and Friday. Understand that.

24 As far as the north and south location, I think
25 you might want to survey the vendors to see what their

1 preference is. You know, there may be more vendors in
2 Southern California, and there may be more potential
3 vendors that would attend the show if we had it every
4 other year in Southern California. So I would recommend
5 that you survey the vendors on that one.

6 I'm really pleased to see that we are, again,
7 expanding and opening this Trade Show to the private
8 sector. I think that's a real opportunity for us to get,
9 you know, the private sector businesses out there
10 purchasing environmentally preferable and recycled content
11 products. And also it's a good opportunity to go out for
12 sponsorships, and I will be happy to help you with that in
13 any way I can.

14 As far as the general public being able to
15 attend, I have some mixed feelings on that. You may want
16 to consider that, but charge them a different type of
17 registration fee. So those folks that are going there
18 really want to be there. So that's just a thought there.

19 The joint venture I think is a good idea as well.
20 I'm all for partnerships in any way, shape, or form.
21 Anything we can do to promote that I think would be
22 helpful.

23 And then for future theme ideas, again, I think
24 it might be a good idea to survey the vendors to see where
25 they're at and what they'd like to see for future shows.

1 Because, again, if we get their input, then they're more
2 likely to come back and exhibit at our shows again. And,
3 again, I just want to reiterate the great job staff has
4 done and keep up the good work. Thank you.

5 CHAIRPERSON PAPARIAN: And also I've been
6 watching what the staff has done over the last few years.
7 It's been a remarkable building on the show every year.
8 And I think it has really been a fabulous job.

9 I had a couple comments, too. I really
10 appreciate the staff really keeping aware of the costs and
11 doing what's possible to reduce the costs and increase the
12 revenues. I think if I have the numbers right, a couple
13 of years ago we were spending about \$200 per attendee, and
14 now we're down to \$60 something per attendee. I think
15 that's the direction we want to go in and ultimately where
16 we want these business to be so successful and there to be
17 so many of them that the show completely pays for itself
18 in some year in the future.

19 Working with affected business, I think there's a
20 number of ways we could do this to bring in more business
21 participation and attendance at the show. And one of the
22 things that I think might be possible would be to have
23 some targeted kind of conjunctive workshops trying to
24 bring in specific groups of people. You know, like we're
25 in a project right now on greening the movie industry. I

1 could imagine having some workshop associated with that
2 and getting some of the buyers and users of products from
3 the movie industry into the show.

4 We've been doing things with other industries as
5 well. There are people who actually consult with
6 businesses on improving their environmental performance.
7 Perhaps we could have a workshop drawing in these
8 environmental auditors and others, you know, the morning
9 of the Trade Show and have them attend in the afternoon
10 and actually see some of the products. But I think
11 there's different things we can do to enhance the targeted
12 participation of various entities and businesses that
13 maybe we can use to bring in greater business
14 participation.

15 MS. SIKISH: You mentioned, Board Member Mulé,
16 surveying the exhibitors on some of these discussion
17 items. Would you suggest we do that before our next show
18 or at our next show?

19 COMMITTEE MEMBER MULÉ: Well, I think it would be
20 a good idea to do it either at or right after the show to
21 get some feedback from them.

22 CHAIRPERSON PAPARIAN: There was a survey done at
23 the last show; right?

24 MS. SIKISH: We do one every year. But we can
25 add this to our survey.

1 COMMITTEE MEMBER MULÉ: I know you survey them.
2 I just thought it would be a good idea to add those few
3 things, again, just to get a better understanding of
4 what's going to bring them to the show, them and
5 additional vendors.

6 MS. SIKISH: I also want to mention we do have a
7 Suppliers' Workshop, and I think we're trying to schedule
8 that for January, where we do just what you said, Board
9 Member Paparian, we bring in suppliers and manufacturers.
10 It's been very successful in getting them geared up for
11 the Trade Show. But we will look into the other
12 organizations you mentioned and getting some kind of
13 workshop together.

14 CHAIRPERSON PAPARIAN: And, again, I think if we
15 can just figure out some ways to make it attractive for
16 the targeted businesses to come to the show and be there
17 at the same place as the show, I think we could increase
18 the participation and get some good folks there.

19 MS. SIKISH: And sponsorship.

20 CHAIRPERSON PAPARIAN: Yeah. Okay. Thank you
21 very much.

22 MS. SIKISH: Jerry, do you have anything?
23 Thank you.

24 CHAIRPERSON PAPARIAN: Thank you.

25 DEPUTY DIRECTOR WOHL: Our last item is Committee

1 Item E or Agenda Item 15 --

2 CHAIRPERSON PAPARIAN: That's the last item for
3 your division. There was a little concern there from
4 people.

5 DEPUTY DIRECTOR WOHL: Pat has the rest of the
6 afternoon.

7 Consideration of Request by Pactiv Corporation
8 for Exemption for the Inability to Obtain Sufficient
9 Quality or Quantities of Recycled Plastic Postconsumer
10 Material to Demonstrate Compliance for the 2003 Reporting
11 Period. And Michael Leason will present.

12 SUPERVISOR LEASON: Thank you, Patty. Good
13 morning, Chairman Paparian, Committee Member Mulé.

14 Just provide a little background on this, and
15 then I will hand the presentation over to a representative
16 from Pactiv.

17 The trash bag law does require that manufacturers
18 who are seeking an exemption from the Board provide
19 documentation to the Board that they have made reasonable
20 efforts to obtain postconsumer material to meet the 10
21 percent recycled content requirement of the law.

22 Pactiv submitted information in May of 2004.
23 Based on staff's review of that information, we did not
24 believe that they had documented that they made reasonable
25 efforts. As a result, the Board did grant Pactiv a time

1 extension to put together additional documentation that
2 would demonstrate they had made reasonable efforts to
3 obtain postconsumer material. Pactiv subsequently did
4 submit additional documentation which staff believes does
5 meet the requirement of making reasonable efforts in order
6 to receive their exemption from the Board.

7 And with that, I'd like to turn it over to
8 Elizabeth Cunningham who is representing Pactiv here
9 today. And she has a brief presentation to provide you
10 information on the efforts that Pactiv has taken to comply
11 with the law. Liz.

12 (Thereupon an overhead presentation was
13 presented as follows.)

14 MS. CUNNINGHAM: Good morning. Pactiv would like
15 to thank the Committee this morning for hearing our
16 request on the exemption for the California Trash Bag Law.

17 --oOo--

18 MS. CUNNINGHAM: As Mike commented, we were not
19 able to certify that we had the postconsumer material
20 requirement in our Trash Bag Laws for the 2003 calendar
21 year. Therefore, we are attempting to demonstrate that we
22 could not obtain sufficient quality and quantity of PCM in
23 order to satisfy these requirements.

24 We focused our documentation in four specific
25 areas. One was on equipment upgrades, process

1 modifications that we made over the course of time to
2 allow greater use of PCM. We revised specifications in
3 order to enhance our communications with our suppliers and
4 to define for them in a better manner what we need from
5 the standpoint of PCM to be able to run it into our
6 processes. We focused on trying to obtain better and more
7 long-term contracts with suppliers. And we also looked at
8 trying to move forward with just better communication
9 overall with our suppliers.

10 --o0o--

11 MS. CUNNINGHAM: As you can see from the slide,
12 we identified in about 2001 that we were going to have
13 some problems with respect to our current operations. We
14 used to have an institutional film and bag line. Most of
15 our postconsumer material went into that institutional
16 line. And that institutional line, that business also
17 carried sort of the supply chain links for us that allowed
18 us to get a lot of our postconsumer material back from the
19 end user.

20 That business was sold in 2001, and we recognized
21 that for our existing lines, which were consumer lines,
22 that we were going to need to do some changes to our
23 processes in order to enhance our ability to use PCM in
24 those lines.

25 In 2001, we appropriated capital for equipment

1 upgrades, and between 2002 accelerated modifications in
2 2003 through the first quarter roughly of 2004. We
3 expended about \$4 million in doing those process upgrades.
4 We made changes to blenders, to the cooling aspects of
5 what was going on with the extrusion lines, and also to
6 the winders. This was an overall enhancement to the
7 quality process in our lines which ultimately leads to
8 more amenable use of PCM content in those particular
9 lines.

10 --o0o--

11 MS. CUNNINGHAM: We also worked on
12 specifications. One of the things we identified as a
13 result of our discussions with the Board in the October
14 2003 meeting was that our suppliers were having a tough
15 time understanding what specifically we needed with
16 respect to our PCM from the standpoint of specifications
17 in order to run. So we took our one-page very generic
18 specification list. We modified that to a six-page
19 discussion. The first three pages focused on why is this
20 an important parameter for us to consider with respect to
21 PCM use? How do we use that? How does that parameter
22 apply to what we're doing? And the last three pages are
23 very specific identification of the parameters that we
24 used to identify PCM needs from the standpoint of quality.
25 We included -- we expanded to identify what the

1 test was that we were going to conduct, the methods and
2 conditions of the test, for example, ASTM standard,
3 whatever; the acceptable targets, what we could actually
4 run in our process; our test frequency, if we were going
5 to accept samples or shipments from suppliers, how often
6 or how much of that material would be tested; and then the
7 property ranges, the deviation. It had to be within plus
8 or minus 2 percent, plus or minus 10 percent for us to be
9 able to use it.

10 We also changed our documentation reports that we
11 used in order to identify what was good and what was not
12 acceptable with respect to supply, and we provided that
13 back to the suppliers each time. And we worked with
14 Professor Joe Green out of Cal State Chico in order to
15 identify and establish quality assurance guidelines for
16 postconsumer content. Professor Green visited our
17 Jacksonville, Illinois plant back in 2003 or early 2004
18 and actually viewed our processes at that time.

19 At this point in time, we also came up -- or
20 about two years ago with a trash bag trademark Renew that
21 we sell in California. Renew is a roughly 80 percent
22 postconsumer, post-industrial bag. Those bags now can run
23 on our lines in our Jacksonville facility because of our
24 enhancements we made to the equipment in our Jacksonville
25 plant.

1 --o0o--

2 MS. CUNNINGHAM: I think our biggest challenge as
3 we go forward is the whole issue of supply. We have been
4 actively searching for suppliers both within California
5 and out of the state in order to meet the PCM requirements
6 for the trash bags here in California. We are able to run
7 the amount of PCM needed in our bags. We just can't get
8 the supply needed in order to put that material into our
9 bags.

10 We have worked pretty diligently with our
11 suppliers, as we said, to clarify the specifications that
12 we need in order to be able to run. In fact, we will buy
13 resin. But we also have our own processing line in our
14 Jacksonville facility where we will take film if we can
15 get enough quality film and we will reprocess that film in
16 our facility. In fact, in the 2003 certification, you
17 will see that we certified we didn't process any film in
18 2003. We actually bought film. But because we didn't
19 have -- this process line we run takes a lot of water,
20 takes a lot of energy to run the line. So we didn't have
21 enough film to run a really long or strong process line
22 without using a lot of extraneous water. So we held that
23 and stockpiled that amount of material until January of
24 2004. We actually ran that film and reprocessed that film
25 in 2004.

1 And then as I mentioned also, we attempted to
2 enhance our communications with making sure that there are
3 phone calls and documented material that goes back with
4 each supplier each time we have either accepted or
5 rejected a load or just in trying to identify the fact
6 that they have material available.

7 --o0o--

8 MS. CUNNINGHAM: We've already gone over this
9 first bullet point numerous times so I won't cover that
10 anymore. But the other thing we did was, like most
11 companies in the U.S. today, we have downsized and
12 downsized and downsized. So the people that are handling
13 most of the communications with our suppliers are the
14 people who are actually running that reprocessing line or
15 running that operations line on the floor. So we've spent
16 a lot of time this year in training our own employees in
17 the process that California needs for documentation and
18 actually going through the forms with them and making sure
19 they understand how to fill out and document those forms
20 for us.

21 --o0o--

22 MS. CUNNINGHAM: And so in conclusion, I'd like
23 to ask that the Board consider the adoption of the
24 exemption for Pactiv Corporation. We believe that we have
25 documented at this point in time -- although I will agree

1 that we didn't earlier have the sufficient documentation
2 in place. We believe we have documented at this point in
3 time that we have done sufficient due diligence to attempt
4 to find sources and quality PCR and to be able to use it
5 in our bags in California. Thank you.

6 CHAIRPERSON PAPARIAN: Any questions?

7 COMMITTEE MEMBER MULÉ: No, I have no questions.

8 CHAIRPERSON PAPARIAN: I don't have a problem
9 moving forward with this. But I think we're going to be
10 finding some information from our waste characterization
11 study about the nature of some of the film plastic that's
12 actually reaching the landfills. We're supposed to find
13 that in the next few weeks.

14 At the same time, I think we have a conversion
15 technology report next week. And I heard a presentation
16 from one of the principles involved in putting together
17 that report who suggested that the reason that conversion
18 technologies -- at least some of the conversion
19 technologies might work so well is because of the
20 widespread availability of film plastic that doesn't have
21 any other use. And it was actually at the panel that you
22 chaired.

23 So I think that in the future we're going to have
24 to try to help make the connections between what we're
25 hearing from the industry about their difficulty in

1 getting supply and then what we're seeing in the landfills
2 and hearing from others that there's supply out there,
3 somehow bring the two together.

4 COMMITTEE MEMBER MULÉ: If I may, Mr. Chair. I'm
5 glad you brought that up. Because since I've been on the
6 Board, I've had numerous discussions with our staff, with
7 the industry representatives, as well as other special
8 interest groups on this whole issue of not only the
9 Plastic Trash Bag Law, but the RPPC law and the whole
10 issue of plastics.

11 And I, too, am hearing different things and I'm
12 trying to draw my own conclusions, which I haven't yet
13 done. But I think what will be helpful -- and I talked
14 with Patty about this -- is I know last October there was
15 a round table discussion where we brought together
16 suppliers, processors, you know, collectors to discuss
17 these issues and to try to figure out how to best
18 address -- there's just such a whole host of issues
19 associated with this.

20 So I've been talking with Patty. And what I'd
21 like to do is help in any way that I can to restart that
22 whole dialogue again, because I think it's really
23 important that as we move forward with this, is that we
24 have a comprehensive well-thought-out approach on how to
25 best utilize what's out there, you know, from a collection

1 processing and utilization standpoint. I mean, again, it
2 sounds so easy. Well, we'll just collect film plastics,
3 but it's not that easy. Collection costs can be very
4 expensive, especially if, you know, your collection points
5 are far apart.

6 So, again, I just think it's really important
7 that we start that dialogue up again. And, again, in
8 talking with Pactiv yesterday, they're very interested in
9 doing that.

10 CHAIRPERSON PAPARIAN: So you're moving
11 Resolution 2004-246.

12 COMMITTEE MEMBER MULÉ: Okay.

13 CHAIRPERSON PAPARIAN: And I'm seconding it. We
14 can substitute the previous roll call.

15 COMMITTEE MEMBER MULÉ: Thank you.

16 CHAIRPERSON PAPARIAN: And any reason why it
17 shouldn't be on consent? We'll move it to consent.

18 Thank you very much, and thank you for coming out
19 here.

20 MS. CUNNINGHAM: Thank you.

21 CHAIRPERSON PAPARIAN: Okay. I think we'll move
22 now to the Diversion, Planning, and Local Assistance
23 Division.

24 Thank you, Patty.

25 As you're settling in Pat, have you got a Deputy

1 Director's report?

2 DEPUTY DIRECTOR SCHIAVO: Yes, sir. Pat Schiavo,
3 Diversion, Planning, and Local Assistance Division.

4 I'm pleased to announce that we have our School
5 Waste Reduction Survey results up on the website. And as
6 you recall, the School Waste Reduction Survey was a survey
7 of over 1,000 school districts throughout the state. We
8 received a 42 percent response rate of that survey,
9 representing over 50 percent of the total school
10 population out there.

11 With this being on our website, you can now go
12 ahead and do searches by district looking at specific
13 material types that the districts are collecting, look at
14 programs that they're performing. So it's a real useful
15 tool for local jurisdictions because now they can look at
16 the school districts within their communities if they
17 participated and use that information to coordinate with
18 the school districts. So we're real pleased to have that
19 up there and also like to thank our Information Services
20 Branch or Management Branch. They were real helpful in
21 coordinating with our staff in completing this task. So
22 real pleased to have that up there.

23 And then next is after eight public workshops
24 soliciting comment and receiving the comment and
25 incorporating the comment into proposed regulations, the

1 Disposal Reporting Regulations are out for the 45-day
2 formal notice. We anticipate having a workshop October
3 18th -- or not a workshop but a formal public hearing
4 regarding the regs on the 18th of October.

5 Regarding disposal, our staff are currently out
6 performing their gate surveys at facilities throughout the
7 state. You'll be receiving an update regarding how
8 successful those surveys are going in the future.

9 And then, finally, I'd like to mention that we
10 plan on conducting a workshop October 5th to look at
11 options or alternatives to the existing AB 939 system. We
12 anticipate the workshop will be from 1:30 to 4:00 here at
13 the Board. And the notice will be going out this week to
14 all interested parties.

15 And that concludes my presentation. Any
16 questions?

17 CHAIRPERSON PAPARIAN: No.

18 Move right into 18, or G I guess it is.

19 DEPUTY DIRECTOR SCHIAVO: First item will be
20 Letter G, actually. And I'd like to combine G, H, I, J,
21 and K. And those are Consideration of the 2001-2002
22 Biennial Review Findings for a number of jurisdictions.
23 And Caoru Cruz will make the presentation.

24 SUPERVISOR CRUZ: Good morning, Chair and
25 Committee member.

1 Staff have conducted their biennial reviews and
2 found that jurisdictions in Items G and J have achieved a
3 2002 diversion rate of at least 50 percent or attainment
4 of a reduced goal under a rural reduction and are
5 adequately implementing source reduction, recycling,
6 composting, and public education and information programs
7 as outlined in their source reduction and recycling
8 elements and household hazardous waste elements.

9 Some of these jurisdictions are claiming up to 10
10 percent diversion from either biomass or transformation.
11 Attachments 3 and 4 for each item shows the tonnage of
12 biomass or transformation claimed by some of those
13 jurisdictions and the resulting diversion percentage.

14 While the 2002 diversion rate still remains below
15 the 50 percent diversion requirement for the jurisdictions
16 in Item H and I, Board staff in conducting their biennial
17 reviews has determined that these jurisdictions are
18 continuing to make all reasonable and feasible efforts to
19 implement new and/or maintain their diversion programs.
20 Some of these jurisdictions are also claiming up to 10
21 percent diversion from either biomass or transformation.
22 Again, Attachments 2 and 3 of each item shows the tonnage
23 of biomass or transformation claimed by those
24 jurisdictions and the resulting diversion percentage.

25 Agenda Items G, H, I, and J list those

1 jurisdictions which staff is recommending approval of the
2 2001-2002 biennial review. Should the Board not accept
3 staff's recommendations, these jurisdictions have reserved
4 the right in their 2002 annual report to submit an SB 1066
5 Time Extension or alternative diversion requirement
6 request.

7 The next item is Agenda Item K, Item 22 in the
8 Board agenda. The city of Chino Hills had previously been
9 granted an SB 1066 Time Extension for meeting the 50
10 percent diversion requirement. Staff is recommending the
11 Board find that this jurisdiction has successfully
12 implemented the diversion program proposed in its Plan of
13 Correction within the extension time period. Board staff
14 review also indicates that the city has adequately
15 implemented its source reduction and recycling element and
16 household hazardous waste element and has achieved a
17 diversion rate of 55 percent for 2002.

18 For those reasons, the Board staff is
19 recommending acceptance of the 2001-2002 biennial review
20 finding for Chino Hills. A list of the source reduction
21 and recycling element and household hazardous waste
22 element programs the city has implemented and diversion
23 rate it has achieved is provided in Attachment 1 of this
24 agenda item.

25 This concludes my presentation. A representative

1 of the city of Chino Hills is present today to answer any
2 questions. Thank you.

3 CHAIRPERSON PAPARIAN: Any specific questions?

4 COMMITTEE MEMBER MULÉ: No, I don't have any
5 questions.

6 CHAIRPERSON PAPARIAN: Did you work with Chino
7 Hills?

8 COMMITTEE MEMBER MULÉ: No, I did not. That was
9 before I returned to California.

10 CHAIRPERSON PAPARIAN: Oh, okay. And I
11 understand -- is it Ms. Greggors from Chino Hills? Good
12 work, wherever you are.

13 MS. GREGGORS: Thank you.

14 CHAIRPERSON PAPARIAN: Did you want to say
15 something?

16 MS. GREGGORS: No, unless you have a question.

17 CHAIRPERSON PAPARIAN: No specific questions, but
18 congratulations on getting your programs up.

19 For everybody else, I know there's
20 representatives of a number of other jurisdictions here,
21 thank you for coming. And because we don't have any
22 specific questions for you doesn't mean we're not really
23 interested or tracking what you're doing. We are, and we
24 want you to continue to do the good work that you're
25 doing.

1 COMMITTEE MEMBER MULÉ: Okay. Now, how are we
2 going to move approval of all these?

3 CHAIRPERSON PAPARIAN: You're going to move
4 approval of 2004-231.

5 COMMITTEE MEMBER MULÉ: Do we need to do each of
6 these individually?

7 CHAIRPERSON PAPARIAN: I'll read off the
8 Resolution Numbers. She's going to move and I'll second
9 all of them. Does that work?

10 So 2004-231.

11 COMMITTEE MEMBER MULÉ: Move approval.

12 CHAIRPERSON PAPARIAN: And then I'll just read
13 off all the numbers. 2004-233. That's --

14 COMMITTEE MEMBER MULÉ: Move approval.

15 CHAIRPERSON PAPARIAN: And 2004-234, 2004-232,
16 and 2004-235.

17 Board Member Mulé moves approval of all of those
18 that I just read. I second all of those that I just read.
19 And we'll substitute the previous roll call for all of
20 those I just read.

21 And I think -- all those would go on consent. So
22 again, thank you all for coming from those jurisdictions.

23 DEPUTY DIRECTOR SCHIAVO: Items L and M we'd like
24 to combine, and these are Consideration of the Adequacy of
25 the Amended Nondisposal Facility Elements for Del Norte

1 Solid Waste Management Authority, and the Unincorporated
2 Area of Lake County.

3 And Jill Simmons will present these items.

4 MS. SIMMONS: Good morning, Chairman and
5 Committee Member. The Del Norte Solid Waste Management
6 Authority is amending its nondisposal facility element by
7 identifying and describing the Del Norte Transfer Station
8 Facility. The Authority has incorporated into the design
9 of the facility separate areas to recover numerous
10 materials. And the layout of the facility explicitly
11 fosters recovery from the relatively high proportion of
12 self-haul customers likely to use this facility. The
13 Permits and Enforcement Division will be presenting an
14 agenda item for the proposed permit for this facility at
15 this month's Committee and Board meeting.

16 The Unincorporated Area of Lake County is
17 amending its NDFE by identifying and describing a number
18 of recovery facilities. They identified an existing
19 facility which will change operators and for new
20 facilities that will accept mixed recyclables, green
21 waste, and inert debris for recovery and recycling. They
22 also listed two potential future locations for the
23 recovery of green and wood waste and composting
24 operations. The Permits and Enforcement Division may be
25 presenting an agenda item for the proposed permits for

1 these facilities in the future.

2 The Authority and the City have both submitted
3 all required documentation for these facilities. And,
4 therefore, staff recommends approval of the amendments to
5 the County's NDFE and the Authority's NDFE.

6 This concludes my presentation. Thank you.

7 CHAIRPERSON PAPARIAN: Thank you.

8 Any questions?

9 COMMITTEE MEMBER MULÉ: No. I have no questions.

10 CHAIRPERSON PAPARIAN: Why don't you take them
11 one at a time.

12 COMMITTEE MEMBER MULÉ: Yeah. I'd like to move
13 approval of Resolution 2004-225, Consideration of the
14 Adequacy of the Amended Nondisposal Facility Element for
15 the Del Norte Solid Waste Management Authority.

16 CHAIRPERSON PAPARIAN: And I'll second that.

17 We'll substitute the previous roll call, and that
18 will go on consent.

19 226, Board Member Mulé moves Resolution 2004-226

20 --

21 COMMITTEE MEMBER MULÉ: Consideration of the
22 Adequacy of the Nondisposal Facility Element for the
23 Unincorporated Area of Lake County.

24 CHAIRPERSON PAPARIAN: I'll second that. We'll
25 substitute the previous roll call. And that will go on

1 consent.

2 DEPUTY DIRECTOR SCHIAVO: Item N will be
3 presented by Steve Uselton. And this is Consideration of
4 the Adequacy of the Amended Nondisposal Facility Element
5 for the City of Vernon in Los Angeles County.

6 SUPERVISOR USELTON: Good morning Chairman,
7 Committee Member.

8 COMMITTEE MEMBER MULÉ: Good morning.

9 SUPERVISOR USELTON: The city of Vernon is
10 amending its nondisposal facility element by identifying
11 and describing an expansion of the innovative waste
12 control incorporated and transfer and processing facility.

13 This facility was originally identified in the
14 L.A. County Solid Waste Management plan, and that document
15 was relied upon by the Board in making a conformance
16 finding for this facility's solid waste facility permit at
17 the Board's August 2002 Board meeting. This amendment
18 will add the identification and description of the
19 innovative waste control incorporated transfer processing
20 facility to the city's NDFE. The city is a large volume
21 transfer and processing facility used by various cities in
22 Los Angeles County.

23 The city has submitted all required documents for
24 amending the NDFE, and staff is recommending approval of
25 the amendment. That would conclude my presentation.

1 COMMITTEE MEMBER MULÉ: I have no questions. So
2 I'd like to move approval of Resolution 2004-227,
3 Consideration of the Adequacy of the Amended Nondisposal
4 Facility Element for the City of Vernon, Los Angeles
5 County.

6 CHAIRPERSON PAPARIAN: I'll second that.
7 We'll substitute the previous roll call and put
8 it on consent.

9 DEPUTY DIRECTOR SCHIAVO: Item O is Consideration
10 of the Adequacy of the Five-Year Review Report for the
11 Countywide Integrated Waste Management Plan for the County
12 of Santa Clara. And the Kathy Davis will present.

13 MS. DAVIS: Good morning.

14 Each county is required to review and, if
15 necessary, revise its Countywide Integrated Waste
16 Management Plan every five years. Santa Clara County has
17 submitted its first Five-Year Review of the Countywide
18 Integrated Waste Management Plan, and the county
19 determined that a revision of the county's plan was not
20 necessary at this time. Board staff has evaluated the
21 county's report and determined that the required elements
22 have been addressed. Therefore, staff's recommendation is
23 that the Board approve the county's assessment that no
24 revision is necessary.

25 Representatives from the county are present to

1 answer any questions you may have. And this concludes my
2 presentation.

3 COMMITTEE MEMBER MULÉ: I have no questions. I
4 don't know if you do.

5 CHAIRPERSON PAPARIAN: The representatives from
6 the county, where are you?

7 MS. FINLEY: Elizabeth Finnley and Clifton Chu.

8 CHAIRPERSON PAPARIAN: Looks like you're doing
9 good work. Keep it up.

10 COMMITTEE MEMBER MULÉ: With that, I'd like to
11 move approval of Resolution 2004-228, Consideration of the
12 Adequacy of the Five-Year Review Report of the Countywide
13 Integrated Waste Management Plan for the County of Santa
14 Clara.

15 CHAIRPERSON PAPARIAN: Second.

16 We'll substitute the previous roll call and put
17 this on consent.

18 DEPUTY DIRECTOR SCHIAVO: Steve Sorrell will
19 present Item P, which is Consideration of the Adequacy of
20 the Amended Nondisposal Facility Element for the City of
21 Galt, in Sacramento County.

22 MR. SORELLE: Good morning, Chairman and
23 Committee Member.

24 The city of Galt is amending its nondisposal
25 facility element, NDFE, by identifying and describing a

1 temporary facility called the California Waste Recovery
2 Direct Transfer Station and a permanent facility known as
3 the California Waste Recovery and Transfer Station.

4 The temporary facility will only be operational
5 until a permanent facility is completed. The Permits and
6 Enforcement Division will be presenting an agenda item for
7 the proposed permit for the permanent facility in the
8 future.

9 The city has submitted all required documentation
10 for these facilities. And, therefore, staff recommends
11 approval of this amendment to the city of Galt's NDFE.

12 This concludes my presentation. Thank you.

13 COMMITTEE MEMBER MULÉ: I have no questions.

14 CHAIRPERSON PAPARIAN: Just a quick question.
15 There's a temporary facility, and then we're going to see
16 a permit for the full facility. Is a temporary facility
17 permitted? Or will it be permitted? How does that work?

18 MR. SORELLE: I actually don't have that detail.

19 CHAIRPERSON PAPARIAN: That may be more for the
20 Permitting folks.

21 MR. SORELLE: One replaces the other. The first
22 one is going to operate as a transfer station and not
23 actually have on-site diversion activities. When the full
24 permanent facility comes on, it will be doing a
25 multi-material commercial and residential sortation of

1 recyclable materials as well as transfer of waste.

2 CHAIRPERSON PAPARIAN: But the temporary one is
3 not operational yet?

4 MR. SORELLE: Correct.

5 CHAIRPERSON PAPARIAN: Okay. So I would assume
6 that even though it's temporary, it would need a permit.
7 It's a transfer station. So we may want to double check
8 to make sure they're operating correctly.

9 STAFF COUNSEL BLOCK: Elliot Block with the Legal
10 Office.

11 I don't have specific personal knowledge about
12 this site, but I do notice that the item mentions the
13 temporary facility will be seeking a permit to allow
14 capacity of 150 tons a day in the future.

15 CHAIRPERSON PAPARIAN: Thank you for pointing
16 that out. Board Member Mulé moves --

17 COMMITTEE MEMBER MULÉ: I'd like to move approval
18 of Resolution 2004-224, Consideration of the Adequacy of
19 the Amended Nondisposal Facility Element for the City of
20 Galt, Sacramento County.

21 CHAIRPERSON PAPARIAN: I'll second that. We'll
22 substitute the previous roll call and put that on consent.

23 DEPUTY DIRECTOR SCHIAVO: Item Q is Consideration
24 of the Adequacy of the Five-Year Review Report for the
25 Countywide Integrated Waste Management Plan for the County

1 of Los Angeles. And Steve Uselton will present this item.

2 SUPERVISOR USELTON: Hello, again. The County of
3 Los Angeles has submitted its report for its Five-Year
4 Review of the County Integrated Waste Management Plan.

5 In concurrence with the county's local task
6 force, the county determined that certain revisions to the
7 Integrated Waste Management Plan were necessary at the
8 time of the review.

9 The necessary revisions include the following:

10 One would be to remove Elsmere Canyon and Blind
11 Canyon from the countywide siting element as potential new
12 landfill sites.

13 Two would be to update the goals, policies, and
14 objectives of the countywide summary plan and to recognize
15 the formation of the L.A. Integrated Waste Management
16 Authority regional agency and jurisdiction's SB 1066 Time
17 Extensions.

18 And, third, the county would include additional
19 discussion regarding conversion technologies in the siting
20 element and will research the need to update and document
21 construction and demolition debris facilities effected by
22 the C&D and inert debris regulations Phase 2.

23 Board staff has evaluated the county's review
24 report and determined that the required elements have been
25 addressed. Attachment 2 of this item provides revisions

1 and updates to information received in the county's
2 Five-Year Review Report. But these changes do not effect
3 the overall findings of the report as originally
4 submitted.

5 Staff is recommending that the Board adopt Option
6 1, which approves the county's Five-Year Review Report
7 findings and the revision of the Integrated Waste
8 Management Plan are necessary.

9 Carlos Ruiz with the county of Los Angeles Public
10 Works Department is present to answer any questions. That
11 will conclude my presentation.

12 CHAIRPERSON PAPARIAN: So what we're approving
13 today is the Five-Year Review Report. But in that report,
14 we're being informed by the county that they are intending
15 to revise their countywide siting element to, among other
16 things, remove the Elsmere Canyon and Blind Canyon.

17 SUPERVISOR USELTON: That is correct.

18 CHAIRPERSON PAPARIAN: That is a fairly hefty
19 undertaking, I would imagine, with a lot of hearings.

20 SUPERVISOR USELTON: I believe it's a two-year
21 period they've scheduled to do that.

22 COMMITTEE MEMBER MULÉ: Because they have to hold
23 public hearings in all 89 jurisdictions.

24 SUPERVISOR USELTON: They submitted a schedule to
25 us to identify those public hearings will take place.

1 CHAIRPERSON PAPARIAN: Is that right? They have
2 to hold them in all 89 jurisdictions?

3 SUPERVISOR USELTON: Uh-huh.

4 CHAIRPERSON PAPARIAN: Do they combine them?

5 SUPERVISOR USELTON: I don't believe they have to
6 hold them in each jurisdiction.

7 STAFF COUNSEL BLOCK: Elliot Block from the Legal
8 Office.

9 The requirement in statute is they do the
10 majority-majority approval process. Whether they could or
11 couldn't combine some of those hearings and do some other
12 streamlining, there's nothing that would prevent that, as
13 long as they met sort of that basic requirement.

14 I think in terms of planning and the schedule
15 they've set out, of course, they want to put the most
16 detailed or comprehensive version. And then if there's a
17 way to ratchet down from that, they'll probably explore
18 that.

19 CHAIRPERSON PAPARIAN: Mr. Ruiz from the county,
20 you're going to be a busy guy. Did you have anything you
21 wanted to add or --

22 MR. RUIZ: For the record, Carlos Ruiz, L.A.
23 County Department of Public Works.

24 I just want to thank staff for working with us in
25 preparing this report. We started working on the report

1 back in early fall of last year. And we actually had come
2 to some road blocks in preparing the report. We consulted
3 with staff of the L.A. office headed by Mr. Uselton, and
4 they gave us some good suggestions that really helped us
5 get over those difficulties and complete our report and
6 being able to submit it in time. So, again, I wanted to
7 extend my appreciation to Mr. Uselton for all their
8 assistance. Thank you.

9 CHAIRPERSON PAPARIAN: Thank you.

10 COMMITTEE MEMBER MULÉ: With that, I'd like to
11 move approval of Resolution 2004-229, Consideration of the
12 Adequacy of the Five-Year Review Report of the Countywide
13 Integrated Waste Management Plan for the County of
14 Los Angeles.

15 CHAIRPERSON PAPARIAN: I'll second that. We'll
16 put that one on -- we'll substitute the previous roll call
17 and put that one on consent.

18 I think we probably need to take a break at some
19 point. This will probably be a good time to take a
20 ten-minute break and come back at five after 11:00.

21 (Thereupon a recess was taken.)

22 CHAIRPERSON PAPARIAN: I think we'll go ahead and
23 get started again.

24 DEPUTY DIRECTOR SCHIAVO: We're ready. Item R is
25 Consideration of a Request to Change the Base Year to 2001

1 for the Previously Approved Source Reduction and Recycling
2 Element for the City of Pacifica, San Mateo County. And
3 Keir Furey will present this item.

4 MR. FUREY: Good morning, Chairperson Paparian
5 and Committee members.

6 The city of Pacifica has submitted a request to
7 change its base year from 1991 to 2001. The city
8 originally submitted a new base year change request for
9 the diversion rate of 42 percent.

10 As part of the base year study review, Board
11 staff conducted a detailed site visit. Board staff has
12 recommended deductions and additions which can be viewed
13 in their entirety by referring to Attachment 3 of the
14 agenda item packet.

15 As a result of the deductions and additions,
16 Board staff recommends a revised diversion rate of 40
17 percent for the base year of 2001. This is above the
18 default diversion rate currently used of 20 percent.
19 Board staff has determined that the information is
20 adequately documented. Based on this information, Board
21 staff is recommending Option 2 of the agenda item, which
22 would approve the revised new base year with staff
23 recommendations.

24 A representative for the city is present to
25 assist in answering any questions. This concludes my

1 presentation.

2 CHAIRPERSON PAPARIAN: I had just a quick
3 question. It appears that one of the biggest sources of
4 diversion calculated in here was the asphalt recycling,
5 which is a good thing. We want to see that happen. But,
6 presumably, that would be not necessarily consistent from
7 year to year.

8 MR. FUREY: That is correct.

9 CHAIRPERSON PAPARIAN: So the jurisdiction is
10 going to have to work doubly hard to get their rates up to
11 address the fluctuation that would likely happen in that
12 asphalt recycling.

13 MR. FUREY: What we did is a five-year average on
14 that. Because, in fact, based on their funding cycles,
15 they do fluctuate. But there's a five-year pattern. We
16 just discussed it with the city engineer. So we averaged
17 it out to incorporate that funding cycle for repaving
18 projects.

19 COMMITTEE MEMBER MULÉ: Is that why then we
20 calculated their diversion rate to be 40 percent as
21 opposed to 42 percent?

22 MR. FUREY: Actually, there was a minor -- I made
23 a minor change in the calculation, and that's a bulk of
24 that 42 to 40.

25 COMMITTEE MEMBER MULÉ: Because of the asphalt?

1 MR. FUREY: Correct.

2 COMMITTEE MEMBER MULÉ: Thank you.

3 CHAIRPERSON PAPARIAN: Does the city
4 representative want to identify themselves?

5 MS. HANSON: Chris Hanson from Pacifica Waste
6 Consulting Group. Do you need me to come up?

7 CHAIRPERSON PAPARIAN: Keep up the work. Thank
8 you.

9 COMMITTEE MEMBER MULÉ: With that, I'd like to
10 move Resolution 2004-230, Consideration of Request to
11 Change the Base Year to 2001 for the Previously Approved
12 Source Reduction and Recycling Element for the City of
13 Pacifica, San Mateo County.

14 CHAIRPERSON PAPARIAN: I'll second that.

15 We'll substitute the previous roll call and put
16 that on consent.

17 DEPUTY DIRECTOR SCHIAVO: Melissa Vargas will
18 present Item S. And this is Consideration of a Second SB
19 1066 Time Extension Application by the Following
20 Jurisdictions: Desert Hot Springs in Riverside County,
21 and Vallejo in Solano County.

22 MS. VARGAS: Good morning, Committee members.
23 Can you hear me now?

24 The city of Desert Hot Springs and the city of
25 Vallejo have requested a second time extension through

1 December 31st, 2005.

2 The specific reasons the city of Desert Hot
3 Springs needs a time extension are as follows: Implement
4 programs as outlined in the first and second time
5 extensions, such as residential curbside recycling and
6 green waste program. This program will provide all
7 residents with new larger carts for the recyclables and
8 green waste. Wood waste and C&D program that will require
9 specific requirements that all projects involving
10 construction and demolition can only use a franchise
11 hauler.

12 The city experienced financial limitations due to
13 a bankruptcy filing that prevented the city from
14 implementing their programs as outlined in their first
15 time extension. The court has since approved the city's
16 resolution allowing the city to move forward with amending
17 their franchise agreement. Eight city managers were
18 replaced in a ten-year span. However, the Mayor was
19 recently re-elected, and both the Mayor, City Council, and
20 City Manager have taken a very keen interest in seeing the
21 city move forward with their SB 939 compliance.
22 Implementation of all these programs should bring this
23 city up to meeting the goal.

24 Specific reasons for the city of Vallejo time
25 extension are: The city needs additional time to fully

1 implement the school recycling pilot program to monitor
2 the tonnage of material being recycled in the district and
3 to resolve financial difficulties to allow more schools to
4 participate in schools recycling program.

5 The city needs additional time to obtain City
6 Council approval, implement the newest construction and
7 demolition ordinance, educate the public, train staff, and
8 monitor the effectiveness of the new ordinance.
9 Implementation all these programs should bring this city
10 up to meeting the goal.

11 Board staff has determined that the information
12 submitted in the application is adequately documented.
13 Based on this information, Board staff is recommending
14 that the Board approve the time extension request for both
15 of these cities. Representatives from each city are
16 present to answer any questions. This concludes my
17 presentation.

18 CHAIRPERSON PAPARIAN: Okay. And we have
19 representatives of both cities. I don't think we have any
20 particular questions. But thank you very much for being
21 here today.

22 COMMITTEE MEMBER MULÉ: If you'd like to come up
23 and make a comment or two, we appreciate it.

24 CHAIRPERSON PAPARIAN: Okay. Are you from Desert
25 Hot Springs, sir?

1 MR. HOHENSTEIN: Yes, sir. My name is Hank
2 Hohenstein. I'm from the city of Desert Hot Springs. I'm
3 a Councilperson. And I want to thank Melissa for the
4 excellent staff report she's prepared and the excellent
5 work she's done with our city to move us towards
6 compliance. I want to add that I'm an adjunct faculty
7 member in Conservation Natural Resources recently elected
8 in November. And I'm going to hold the Council's feet to
9 the fire. Thank you very much.

10 CHAIRPERSON PAPARIAN: It sounds like you've had
11 some challenges with your staffing, too. Hope you're able
12 to get some consistency in the staffing over time.

13 SUPERVISOR SAKAKIHARA: The city of Vallejo was
14 unable to make it today. But we did go on a site visit
15 and --

16 CHAIRPERSON PAPARIAN: You need to identify
17 yourself for the reporter.

18 SUPERVISOR SAKAKIHARA: Susan Sakakihara of DPLA.
19 We did conduct a site visit, and they're working
20 very hard on these two programs. They were at 48 percent
21 and could have gone good faith but wanted to get to the
22 50 percent. That's why they went for the second 1066.

23 CHAIRPERSON PAPARIAN: Thank you very much.

24 COMMITTEE MEMBER MULÉ: Counselman, I just want
25 to thank you for attending today. I'm a little bit

1 familiar with your community. And I know you've had your
2 trials and tribulations and think you're on the right
3 track now. Thank you again for being here.

4 MR. HOHENSTEIN: Thank you.

5 COMMITTEE MEMBER MULÉ: With that, I'd like to
6 approve Resolution 2004-238, Consideration of a Second SB
7 1066 Time Extension Application by the Following
8 Jurisdictions: Desert Hot Springs, Riverside County;
9 Vallejo, Solano County.

10 CHAIRPERSON PAPARIAN: I'll second that.

11 We'll substitute the previous roll call and put
12 that on consent.

13 DEPUTY DIRECTOR SCHIAVO: Melissa will also
14 present Item T, Consideration of a Second SB 1066 Time
15 Extension Application by Dana Point, Laguna Hills, Laguna
16 Niguel, San Clemente, San Juan Capistrano, and Stanton,
17 all in Orange County.

18 MS. VARGAS: Good morning, again.

19 The cities of Dana Point, Laguna Niguel, Laguna
20 Hills, San Clemente, San Juan Capistrano, and Stanton have
21 requested a second time extension through December 31st,
22 2005.

23 The specific reasons the cities of Dana Point,
24 Laguna Niguel, Laguna Hills, San Clemente, and San Juan
25 Capistrano need a second time extension are as follows:

1 Implement programs as outlined in their first and
2 second time extension, such as commercial on-site pick up
3 that includes the collection of cardboard and other fibers
4 with front loader routes and increased glass recycling
5 accounts.

6 Residential curbside collection that will include
7 the collection of material from multi-family complexes and
8 processing at a MRF.

9 Construction and demolition. This program will
10 continue to put emphasis on training staff on C&D
11 procedures at the landfill and the MRF so that material is
12 properly diverted. In addition, the cities have
13 implemented a new C&D ordinance that will further enhance
14 the city's overall program implementation plan.

15 The specific reasons the city of Stanton needs a
16 second time extension are as follows:

17 Implement programs as outlined in the first and
18 second time extension, such as expansion of commercial
19 on-site pickup of cardboard and targeting specific glass
20 accounts to increase the recovery of these materials.

21 Material recovery facility enhancements, such as
22 reconfiguration the sort floor to allow C&D loads to be
23 segregated and a second fiber recovery system with a wider
24 sorting belt to increase fiber recovery.

25 The barriers that prevented the cities from

1 implementing their programs include:

2 Inadequate staffing to ensure programs are being
3 implemented.

4 Lack of implementation status reports and updates
5 from the hauler outlining the participation rate of
6 businesses.

7 Lack of participation from the commercial sector.

8 However, with their second time extension,
9 implementation of all these programs should bring these
10 cities up to meeting the goal.

11 Board staff has determined that the information
12 submitted in the application is adequately documented.
13 Based on this information, Board staff is recommending
14 that the Board approve the time extension request for all
15 of these cities. Representatives from each city are
16 present to answer any questions. This concludes my
17 presentation.

18 CHAIRPERSON PAPARIAN: Do you have any questions?

19 I know we do have quite a few representatives
20 from the various jurisdictions. Does anybody want to say
21 anything before we move forward on this motion? Okay.
22 Thank you all for coming.

23 Board Member Mulé.

24 COMMITTEE MEMBER MULÉ: Well, I just want to make
25 a quick comment. I did meet with one of the jurisdictions

1 yesterday, and I feel that they truly are making an effort
2 to meet their diversion goals.

3 I just want to emphasize that jurisdictions need
4 to work very closely with their haulers and their haulers
5 providing the programs that are necessary. That's what
6 this is all about is partnerships and working together
7 with your haulers in helping to meet these goals. And I'm
8 glad to see that's happening. And I just hope that it
9 continues and continues to grow.

10 With that, I'd like to approve Resolution
11 2004-239, Consideration of a Second SB 1066 Time Extension
12 Application by the Following Jurisdictions: Dana Point,
13 Laguna Hills, Laguna Niguel, San Clemente, San Juan
14 Capistrano, Stanton, Orange County.

15 CHAIRPERSON PAPARIAN: And I'll second that.

16 We'll substitute the previous roll call and put
17 that on consent.

18 DEPUTY DIRECTOR SCHIAVO: Item U is Consideration
19 a Second SB 1066 Time Extension Application by the Cities
20 of Bell, Bellflower, and Sierra Madre all in Los Angeles
21 County. And Steve Uselton is back one more time.

22 SUPERVISOR USELTON: Hello.

23 The cities of Bell, Bellflower, and Sierra Madre
24 have requested a second time extension through December
25 31st, 2005.

1 The specific reasons the city of Bell needs a
2 time extension are as follows: To implement programs as
3 outlined in their second time extension, such as
4 augmentation of source separation programs by distributing
5 95-gallon automated containers to multi-family complexes
6 and small business, along with financial incentives for
7 these businesses and multi-family complexes to participate
8 in source separation. The city will MRF process all
9 commercial accounts, including multi-family that do not
10 participate in the source separation program. The city
11 will maximize the amount of transformation credit
12 allowable. And the city will adopt a C&D ordinance that
13 will mandate C&D diversion and formalize the diversion
14 programs expected from the franchise hauler.

15 To ensure the programs get implemented, the city
16 is now assigned a staff member to ensure a timely
17 implementation of programs agreed upon with the city's
18 hauler. Recent staff contacts with the city indicate that
19 the programs in the plan are being implemented according
20 to schedule. And the city of Bell anticipates a 24
21 percent increase in the diversion rate as a result of
22 these programs.

23 Specific reasons the city of Bellflower has
24 requested a second time extension are to implement
25 programs in their Plan of Correction. The city's

1 franchise hauler will direct a temporary roll off portion
2 of the waste stream to a mixed C&D processing facility.
3 The permanent roll out portion will be targeted to source
4 separation bins and MRF processing. The city has directed
5 their hauler to develop new routes that segregate wet and
6 dry materials. All dry loads will be processed via floor
7 sorting to move readily available recyclables. And at
8 least one high yield dry route will MRF processed with the
9 residual being sent to a transformation facility.

10 The city and hauler will investigate alternative
11 processing facilities to increase the recycling recovery
12 rates of source-separated residentially collected
13 materials. And the city will maximize the use of waste to
14 energy facilities in order to increase their allowable
15 transformation credit.

16 Board staff are in contact with the city
17 regarding the implementation of the plan and have been
18 informed that the implementation is on schedule. The city
19 of Bellflower anticipates a 15 percent increase in their
20 diversion rate from these programs.

21 The city of Sierra Madre has requested a second
22 extension. The city needs additional time to fully
23 implement the routing of selected multi-family and
24 non-residential waste to a material recovery facility.
25 The city needs time to fully implement the routing of

1 selected residential waste to a waste to energy facility,
2 again, to take advantage of transformation credit allowed.
3 And the city will work with the franchise hauler and
4 school district to fully implement a school recycling
5 program for free and unlimited collection of recyclable
6 materials and green waste for the schools.

7 The Board staff have discussed the progress of
8 these programs with the city, and early results indicate
9 the programs are working in yielding the expected results.
10 The city of Sierra Madre anticipates a 13 percent increase
11 in its diversion rate from these programs.

12 I don't believe we have any of the city
13 representatives here today. But if there are any
14 questions, I can try to answer those.

15 CHAIRPERSON PAPARIAN: Any questions?

16 Just a quick one. The city of Bellflower went
17 from 58 percent to 35 percent, which is a pretty notable
18 reduction. And in their documentation they suggest it's
19 due to a lot of C&D activity and illegal hauling and
20 inerts. It still seems like a lot, you know. Even with a
21 lot of C&D, 23 percent is a lot.

22 SUPERVISOR USELTON: We tried to work with the
23 city of Bellflower to answer those questions and did
24 closely look at the disposal data. We weren't able to
25 separate out any specific misallocation. And, in fact, we

1 were able to relate much of the tonnage back to the
2 franchise hauler or to self-haul that could really come
3 from the city.

4 The C&D did increase, and the city has taken that
5 into consideration. They have adopted a C&D ordinance.
6 Kind of an interesting issue. Originally, they had set a
7 threshold that would have just targeted the larger
8 projects. But when the City Council heard what was going
9 on, they wanted basically everybody to meet the city's
10 50 percent requirement. So they increased the threshold
11 to include more projects.

12 There has been an issue brought to our attention
13 about the recovery rate of some of the recycling programs
14 in recent years has diminished, and the hauler has
15 indicated that they're going to look into that and try to
16 identify a better recovery facility for where they take
17 their materials. Those were some of the reasons for the
18 decrease. We feel that the plan will at least improve the
19 situation, and it very likely will get the city to
20 50 percent.

21 CHAIRPERSON PAPARIAN: Okay. Thank you.

22 COMMITTEE MEMBER MULÉ: Thank you, Steve.

23 With that, I'd like to move Resolution 2004-240,
24 Consideration of a Second SB 1066 Time Extension
25 Application By the Following Jurisdictions: Bell,

1 Bellflower, and Sierra Madre, Los Angeles County.

2 CHAIRPERSON PAPARIAN: I'll second that. We'll
3 substitute the previous roll call and put that one on
4 consent.

5 DEPUTY DIRECTOR SCHIAVO: Item V is Consideration
6 of Failure to Meet SB 1066 Time Extension Plan of
7 Correction and Consideration of the 2001-2002 Biennial
8 Review Findings for the Source Reduction Recycling Element
9 and Consideration of Issuance of a Compliance Order for
10 the City of Adelanto in San Bernardino County. And
11 Rebecca Brown will present this item.

12 MS. BROWN: Good morning, Chairman Paparian and
13 Ms. Mulé.

14 On February 11th, 2003, the Board approved the
15 city of Adelanto's request for an SB 1066 Time Extension
16 to allow Adelanto until March 1st, 2003, to implement
17 additional programs to reach the diversion goal of 50
18 percent.

19 Board staff had visited the city in 2002 to
20 determine its program needs. Since approval of the time
21 extension, Board staff has reviewed the city's Plan of
22 Correction updates, held teleconferences with city staff,
23 exchanged written correspondence, provided technical
24 assistance, and stressed the need for the city to
25 implement the programs they selected in their Plan of

1 Correction, which is part of the time extension
2 application.

3 The city expressed to the Board staff its
4 intention to develop a work plan and to fully implement
5 the programs in its Plan of Correction in a letter
6 submitted to staff on November 26th, 2003. You can find a
7 copy of that letter in Attachment 2. Board staff
8 requested a copy of the city's work plan, but we have not
9 yet received it. In addition, the city has not provided
10 evidence that it has fully implemented this Plan of
11 Correction.

12 Board staff has concerns detailed in the agenda
13 item that the city has not made every effort to reasonably
14 and feasibly implement the programs in their Plan of
15 Correction and source reduction recycling element. In the
16 absence of a good faith effort to implement the programs
17 identified in the city's Plan of Correction, Board staff
18 is proposing to find that the city has not adequately
19 implemented its Plan of Correction, find that the city has
20 not implemented its source reduction and recycling
21 element, and recommend the Board issue the city a
22 Compliance Order. Staff is also recommending direction to
23 work with the city in developing a Local Assistance Plan
24 as part of the Compliance Order.

25 There are no representatives for the city present

1 today. However, based on a phone call from the city
2 yesterday, the city concurs with our recommendation, and
3 they are willing to cooperate to implement a work plan.
4 I'd be happy to answer any questions if I can. That
5 concludes my presentation.

6 CHAIRPERSON PAPARIAN: So the city is well aware
7 they're on the road to a Compliance Order?

8 MS. BROWN: Yes.

9 COMMITTEE MEMBER MULÉ: Rebecca, a question I do
10 have is, has the city or any of their consultants ever
11 expressed an interest in revising their work plan, their
12 plan of corrective action in the past? Because I know
13 that with some of the cities that I've worked with in the
14 past, the original plan of action versus what they should
15 be doing was different. And so I was just wondering if
16 they ever realized that maybe some of the programs that
17 they originally had thought to implement were not feasible
18 to implement so they thought of revising that plan. Has
19 that ever been discussed with them?

20 MS. BROWN: They did not request an opportunity
21 to revise it. However, through the various conversations
22 that we've had with the city, we have worked with them to
23 discuss the likelihood of being able to implement the
24 plans they suggested in the Plan of Correction and what
25 the road blocks were to that, and to make suggestions to

1 other opportunities that may not have been in the Plan of
2 Correction, but that might work to help meet a good faith
3 effort. And the problem that the city seems to have as a
4 road block that they share with us consistently is that
5 there's not enough staff and not enough time.

6 So I think that when it comes to developing a
7 work plan, that's going to be one of the things that we
8 will be looking at so that programs can be developed that
9 are feasible and reasonable for the city and that they
10 feel confident they can implement as well as developing
11 the methodology for accomplishing that.

12 COMMITTEE MEMBER MULÉ: Thank you. So it sounds
13 like our staff is going to be working even closer with the
14 city to help them develop a work plan since they don't
15 have -- they claim they don't have the staff or the time
16 to do that. So we will be offering them that assistance
17 to help get them back on track.

18 MS. BROWN: Right.

19 COMMITTEE MEMBER MULÉ: And once again, city
20 staff is aware -- they do agree this is the route they're
21 going to go down?

22 MS. BROWN: Yes.

23 COMMITTEE MEMBER MULÉ: Okay. Very good.

24 With that, I'd like to move Resolution 2004-236,
25 Consideration of Failure to Meet SB 1066 Time Extension

1 Plan of Correction, Consideration of the 2001-2002
2 Biennial Review Findings for the Source Reduction and
3 Recycling Element, and Consideration of Issuance of a
4 Compliance Order for the City of Adelanto, San Bernardino
5 County.

6 CHAIRPERSON PAPARIAN: I'll second that. We'll
7 substitute the previous roll call.

8 And I'm wondering, Mark, since this is a
9 Compliance Order, should we not put this on consent? Or
10 does it matter?

11 EXECUTIVE DIRECTOR LEARY: Pat, do you have any
12 sense of history on Compliance Orders?

13 DEPUTY DIRECTOR SCHIAVO: It really shouldn't
14 matter. It's your preference.

15 EXECUTIVE DIRECTOR LEARY: Shouldn't matter.

16 STAFF COUNSEL BLOCK: We have done them on
17 consent before.

18 CHAIRPERSON PAPARIAN: We have. Then I don't see
19 a problem with that.

20 Okay. Is there any public comment?

21 Seeing none, this meeting is adjourned.

22 (Thereupon the California Integrated Waste
23 Management Board, Sustainability and Market
24 Development Committee adjourned at 11:32 a.m.)
25

1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 22nd day of September, 2004.

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23 TIFFANY C. KRAFT, CSR, RPR

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